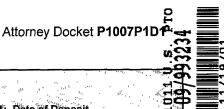


Please type a plus sign (+) inside this box +



### CERTIFICATION UNDER 37 CFR 1.10

EL809447565US: Express Mail Number

November 19, 2001: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1/10 on the date indicated above and is addressed to the Assistant Commissioner of Patents: Washington, D.C. 20231.

Man & Maucharf
Diane L. Marschang

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION Assistant Commissioner of Patents Washington, D.C. 20231

# NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA

Title:

Apo-2LI and Apo-3 Polypeptides

- 1. Type of Application
- [] This application is for an original, non-provisional application.
- [X] This is a divisional application claiming priority to application Serial Number <u>08/828,683</u> filed March 31, 1997, the entire disclosure of which is hereby incorporated by reference.
- 2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)
  - 89 pages of specification
  - 5 pages of claims
  - \_\_1\_\_ page(s) of abstract
  - 12 sheet(s) of drawings
    - [] formal [X] informal
- 3. Declaration or Oath
  - X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).
- 4. Assignment
  - X The prior application is assigned of record to Genentech, Inc.

# 5. Amendments (for continuation and divisional applications)

- X Cancel in this application original claims <u>1-33 and 40-45</u> of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

### 6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

The rec has been ediculated as follows.					
CLAIMS FOR FEE CALCULATION					
Nümber	Filed	Numbe	er Extra	Rate	Basic Fee 37 CFR-1 16(a) \$740.00
Total Claims	55	- 20 =	35	X \$18.00	\$630.00
Independent Claims	6	- 3=	3	X \$80.00	\$240.00
Multiple dependent claim(s), if any + \$270.00					\$0.00
Filing Fee Calculation					\$1,610.00

#### 7. Method of Payment of Fees

X The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,610.00. A duplicate copy of this transmittal is enclosed.

### 8. Authorization to Charge Additional Fees

X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

#### 9. Additional Papers Enclosed

- [] Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- [X] Submission of "Sequence Listing" (paper copy), Request to use computer readable copy of sequence listing from prior application, and certificate re: sequence listing.
- [] A new Power of Attorney or authorization of agent.
- [] Other:

# 10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

A petition, fee and/or response has been filed to extend the term in the pending prior application until

A copy of the petition for extension of time in the *prior* application is attached.

# 11. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang

Respectfully submitted, GENENTECH, INC.

Date: November 19, 2001

Diane L. Marschang Reg. No. 35,600

Telephone No. (650) 225-5416

00157

09157
PATENT TRADEMARK OFFICE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Group Art Unit: to be assigned Ashkenazi Examiner: to be assigned Serial No.: to be assigned Filed: November 19, 2001 For: Apo-2LI and Apo-3 Polypeptides

# Letter and REQUEST TO USE COMPUTER-READABLE SEQUENCE LISTING UNDER 37 CFR §1.821(e)

**BOX Patent Application** Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

Applicants respectfully request that the compliant computer-readable Sequence Listing filed in parent application Serial No. 08/828,683 be used as the computer-readable Sequence Listing for the present, above-identified divisional application.

The paper copy of the Sequence Listing filed herewith is identical to the computerreadable copy of the Sequence Listing filed in parent application Serial No. 08/828,683.

> Respectfully submitted, GENENTECH, INC.

Date: November 19, 2001

Reg. No. 35,600

Telephone No. (650) 225-5416

PATENT TRADEMARK OFFICE

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Ashkenazi

Serial No.: to be assigned

Filed: November 19, 2001

For: Apo-2LI and Apo-3 Polypeptides

Group Art Unit: to be assigned

Examiner: to be assigned

# CERTIFICATE REGARDING SEQUENCE LISTING

Box Patent Application Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

I hereby state that the information recorded in computer readable form in accordance with 37 CFR Section 1.821 is identical to the paper copy of the Sequence Listing. I also hereby state that the computer readable form and paper copy of the Sequence Listing do not introduce new matter.

Respectfully submitted, GENENTECH, INC.

Date: November 19, 2001

Diane L. Marschang Reg. No. 35,600

1 DNA Way So. San Francisco, CA 94080-4990 Phone: (650) 225-5416 Fax: (650) 952-9881